

NOTICE OF RIGHT TO SUE (ISSUED ON REQUEST)

To: Pearlie Thomas
6541 Sagamore Hills Ct
Florissant, MO 63033

From: St. Louis District Office
1222 Spruce Street
Room 8.100
Saint Louis, MO 63103

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On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

560-2015-01051

Walter H. Harris, III,
Investigator

(314) 539-7936

(See also the additional information enclosed with this form.)

NOTICE TO THE PERSON AGGRIEVED:

Title VII of the Civil Rights Act of 1964, the Americans with Disabilities Act (ADA), or the Genetic Information Nondiscrimination Act (GINA): This is your Notice of Right to Sue, issued under Title VII, the ADA or GINA based on the above-numbered charge. It has been issued at your request. Your lawsuit under Title VII, the ADA or GINA must be filed in a federal or state court WITHIN 90 DAYS of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

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More than 180 days have passed since the filing of this charge.

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Less than 180 days have passed since the filing of this charge, but I have determined that it is unlikely that the EEOC will be able to complete its administrative processing within 180 days from the filing of this charge.

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The EEOC is terminating its processing of this charge.

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The EEOC will continue to process this charge.

Age Discrimination in Employment Act (ADEA): You may sue under the ADEA at any time from 60 days after the charge was filed until 90 days after you receive notice that we have completed action on the charge. In this regard, the paragraph marked below applies to your case:

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The EEOC is closing your case. Therefore, your lawsuit under the ADEA must be filed in federal or state court WITHIN 90 DAYS of your receipt of this Notice. Otherwise, your right to sue based on the above-numbered charge will be lost.

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The EEOC is continuing its handling of your ADEA case. However, if 60 days have passed since the filing of the charge, you may file suit in federal or state court under the ADEA at this time.

Equal Pay Act (EPA): You already have the right to sue under the EPA (filing an EEOC charge is not required.) EPA suits must be brought in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.

If you file suit, based on this charge, please send a copy of your court complaint to this office.

On behalf of the Commission

SEP 28 2016

Enclosures(s)

James R. Neely, Jr.,
Director

(Date Mailed)

cc: Human Resources
Manager
FISERV SOLUTIONS
5875 N. Lindberg
Hazelwood, MO 63042

Charles B. Jellinek
BRYAN CAVE LLP
One Metropolitan Square
Suite 3600
Saint Louis, MO 63102

EEOC Form 5 (11/09)

CHARGE OF DISCRIMINATION This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.		Charge Presented To: Agency(ies) Charge No(s): <div style="display: flex; justify-content: space-between; align-items: flex-start;"> <div style="margin-top: 10px;"> <input type="checkbox"/> FEPA <input checked="" type="checkbox"/> EEOC </div> <div style="text-align: right; margin-top: 10px;"> 560-2015-01051 </div> </div>	
Missouri Commission On Human Rights and EEOC <i>State or local Agency, if any</i>			
Name (indicate Mr., Ms., Mrs.) Ms. Pearlie Thomas		Home Phone (Incl. Area Code) Date of Birth 07-14-1956	
Street Address 6541 Sagamore Hills Ct, Florissant, MO 63033			
Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)			
Name FISERV SOLUTIONS		No. Employees, Members 201 - 500	
Street Address 5875 N. Lindberg, Hazelwood, MO 63042		Phone No. (Include Area Code) (314) 387-2500	
Name 		No. Employees, Members 	
Street Address 		Phone No. (Include Area Code) 	
City, State and ZIP Code 		City, State and ZIP Code 	
DISCRIMINATION BASED ON (Check appropriate box(es).) <div style="display: flex; flex-wrap: wrap; justify-content: space-between;"> <div><input type="checkbox"/> RACE</div> <div><input type="checkbox"/> COLOR</div> <div><input type="checkbox"/> SEX</div> <div><input type="checkbox"/> RELIGION</div> <div><input type="checkbox"/> NATIONAL ORIGIN</div> <div><input checked="" type="checkbox"/> RETALIATION</div> <div><input checked="" type="checkbox"/> AGE</div> <div><input type="checkbox"/> DISABILITY</div> <div><input type="checkbox"/> GENETIC INFORMATION</div> <div><input type="checkbox"/> OTHER (Specify)</div> </div>		DATE(S) DISCRIMINATION TOOK PLACE Earliest Latest 07-01-2014 10-27-2014 <div style="text-align: center; margin-top: 10px;"> <input type="checkbox"/> CONTINUING ACTION </div>	
THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)): <p>I was hired on 4/24/2013 as a Quality Assurance Associate. I was retaliated against for participating in another co-workers EEOC investigation. I also suffered harassment by younger workers and was discharged by the above employer for because of my age.</p> <p>I complained to Mary Allen, Human Resources, on 7/2013, 10/20/13, 10/31/13 and 11/1/13 about younger co-workers making derogatory comments against elderly co-workers. HR said they would handle it but to my knowledge, they did not follow through on my complaints. I participated as a witness for an attorney on another EEOC age case through the telephone on 10/24/14, and I was terminated by Henry (LNU), Human Resource, on 10/27/14 because he said that I had three consecutive write ups within a 12 month period.</p> <p>I believe that I was discriminated against because of my age, 58, in that all of the older co-workers were discharged and the employer kept the younger co-workers in violation of The Age Discrimination and Employment Act of 1967 and retaliated against by Management for participating in a protected activity in violation of The Civil Rights Act of 1964, as amended.</p>			
I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures. I declare under penalty of perjury that the above is true and correct.		NOTARY – When necessary for State and Local Agency Requirements I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief. SIGNATURE OF COMPLAINANT SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (month, day, year)	
Date Apr 24, 2015		Charging Party Signature 	